

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2006-92-WS - ORDER NO. 2006-231  
APRIL 26, 2006

IN RE: Application of Carolina Water Service, Inc.	)	ORDER GRANTING
for Adjustment of Rates and Charges for the	)	PUBLIC HEARINGS
Provision of Water and Sewer Service.	)	AND APPOINTING
	)	HEARING OFFICER

This matter comes before the Public Service Commission of South Carolina ("Commission") on the request of the Office of Regulatory Staff ("ORS") for "night hearings" (i.e., local public hearings)<sup>1</sup> to be scheduled in the present docket and on the Commission's Motion to appoint Mr. Charles L.A. Terreni, Esquire, Chief Clerk/Administrator, to serve as a hearing officer in this proceeding.

On March 27, 2006, Carolina Water Service, Inc. ("CWS" or the "Applicant") filed an Application requesting approval of an increase in rates and charges for water and sewer service provided to CWS's customers in certain areas of South Carolina. Following public notice of CWS's Application, a request was filed by the ORS on April 3, 2006, asking the Commission to schedule local public hearings with respect to CWS's

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<sup>1</sup> To more accurately describe so-called "night hearings", this Order will refer to them as local public hearings. The Commission periodically receives requests to hold public hearings in the general locale of water and wastewater facilities that are the subject of proposed rate increases. These hearings are held for the purpose of taking local public witness testimony at a location and time of day, typically in the evening, that is conducive to increased participation by affected customers. Many customers may find it difficult to attend the hearing in the PSC's Columbia facilities where the applicant is given the opportunity to put on their case in chief.

Application. Specifically, the ORS requests that a local public hearing be scheduled at a location in the Midlands area, at a location in Dorchester County, and at a location in York County, South Carolina. According to the ORS, the hearings will afford the public an opportunity to express any concerns or comments on CWS's pending Application for an increase in rates and charges.

Upon consideration of the request of the ORS, the Commission finds that local public hearings in this docket should be scheduled and held in the Midlands area, in Dorchester County and in York County, South Carolina. These hearings shall be scheduled in addition to the public hearing to be held in the Commission's hearing room, Synergy Business Park, 101 Executive Center Drive, Columbia, South Carolina. The local public hearings will allow interested customers of CWS who cannot attend the hearing in Columbia to appear and present testimony and evidence relevant to CWS's Application. The hearings are being scheduled to provide a local forum and a convenient time for customers of CWS and other interested persons not already parties to the proceeding. Parties of record in this docket who have filed Petitions to Intervene and who seek to cross-examine witnesses of CWS will present their testimony and exhibits at the hearing to be held before the Commission in the Commission's hearing room, Columbia, South Carolina. Further, CWS will present their witnesses and testimony and exhibits at the hearing to be held in the Commission's hearing room in Columbia, South Carolina.

As to the Commission's Motion for appointment of a hearing officer, this appointment is in order that the hearing officer may dispose of procedural and evidentiary

matters pursuant to S.C. Code Ann. Section 58-3-40 (Supp. 2005), including consideration of potentially scheduling additional local public hearings.

Section 58-3-40(C)(1) states that upon the request of any party or any commissioner, the commission may employ a hearing officer who may hear and determine procedural motions or other matters not determinative of the merits of the proceedings. Under (C)(2), the hearing officer has full authority, subject to being overruled by the commission, to rule on questions concerning the conduct of the case and other matters. Under (C)(3), the officer must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience.

We find that Mr. Charles L. A. Terreni meets this qualification, and we therefore grant the Motion appointing him as hearing officer in this case. As hearing officer in this proceeding, we direct Mr. Terreni to rule on appropriate matters in the case up to the time of the hearing.

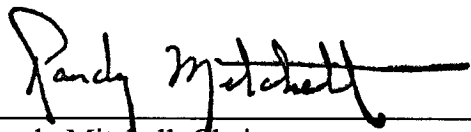
IT IS THEREFORE ORDERED THAT:

1. Local public hearings in the pending rate case Application filed by Carolina Water Service, Inc. shall be held in the Midlands area of South Carolina, in Dorchester County, South Carolina, and in York County, South Carolina.
2. The Commission Staff is directed to find suitable locations and dates for the local public hearings and shall provide notice of the hearings to the parties in this docket and to the customers affected by the Application.
3. Charles L.A. Terreni is hereby appointed as hearing officer in the pending rate case Application filed by Carolina Water Service, Inc. for disposition of procedural


and evidentiary matters and consideration of the potential need for scheduling additional local public hearings.

4. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
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Randy Mitchell, Chairman

ATTEST:

  
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G. O'Neal Hamilton, Vice Chairman

(SEAL)